



EXTRAORDINARY

PART I—Section 1

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HOUSE OF THE PEOPLE

NOTIFICATION

New Delhi-1, the 19th May, 1953

No. 290-C/53.—In exercise of the powers conferred by clause (2) of Article 118 of the Constitution of India, the Speaker of the House of the People hereby makes the following further amendments in the Rules of Procedure and Conduct of Business in the House of the People, published under Notification No. 113-C/52, dated the 17th April, 1952 in the Gazette of India Extraordinary, Part I, Section 1 of the 17th April, 1952, namely:—

Amendments

1. Rule 13A.—After rule 13, the following rule shall be inserted, namely:—

“13A. The Speaker shall determine the time when a sitting of the House shall be adjourned *sine die* or to a day or hour or part of the same day:

Provided that the Speaker may, if he thinks fit, call a sitting of the House before the date or time to which it has been adjourned or at any time after the House has been adjourned *sine die*.”

2. Rule 24.—For rule 24, the following rule shall be substituted, namely:—

“24. The last two and a half hours of a sitting on Friday shall be allotted for the transaction of private members' business which originates in the House:

Allotment
of time
for Private
Members'
business.

Provided that the Speaker may allot different Fridays for the disposal of different classes of such business and on Fridays so allotted for any particular class of business, business of that class shall have precedence:

Provided further that the Speaker may, in consultation with the Leader of the House, allot any day other than a Friday for the transaction of private members' business which originates in the House:

Provided further that if there is no sitting of the House on a Friday, the Speaker may direct that two and a half hours on any other day in the week may be allotted for private members' business."

3. Rule 47.—For clause (xxi) of sub-rule (2) of rule 47, the following clause shall be substituted, namely:—

"(xxi) it shall not seek information regarding Cabinet discussions, or advice given to the President in relation to any matter in respect of which there is a constitutional, statutory or conventional obligation not to disclose information."

4. Rule 52.—For rule 52, the following rule shall be substituted, namely:—

"Order in
which ques-
tions shall
be called.

52. Questions for oral answers shall be called, if the time made available for questions permits, in the order in which they stand in the list before any other business is entered upon at the meeting:

Provided that a question not reached for oral answer may be answered after the end of the Question hour with the permission of the Speaker if the Minister represents to the Speaker that the question is one of special public interest to which he desires to give a reply."

5. Rule 57A.—After rule 57, the following rule shall be inserted, namely:—

"Answer to
question
cannot refer
to answer or
proceedings
in the Coun-
cil during
current sess-
ion.

57A. An answer to a question in the House shall not refer to the answer to a question or proceedings in the Council during a current session."

6. Rule 59.—For sub-rule (3) of rule 59, the following sub-rule shall be substituted, namely:—

"(3) The Speaker shall decide whether the matter is of sufficient public importance to be put down for discussion, and may not admit a notice which may, in his opinion, seek to revise the policy of Government."

7. Rule 74.—(1) To rule 74, before the existing proviso the following proviso shall be added, namely:—

“Provided that no such motion as is referred to in clause (iii) shall be made with reference to a Bill making provision for any of the matters specified in sub-clauses (a) to (f) of clause (1) of Article 110 of the Constitution.”

(2) That in the proviso to rule 74, after the word “Provided” the word “further” shall be inserted.

8. Rule 75.—To clause (a) of sub-rule (2) of rule 75, the following provisos shall be added, namely:—

“Provided that a member may move that the House give instructions to the Select Committee or to the Joint Committee to which the Bill has been referred to make some particular or additional provision in the Bill or to consider and report on amendments which may be proposed to the original Act which the Bill seeks to amend:

Provided further that no amendment for the appointment of a Joint Committee shall be moved with reference to a Bill making provision for any of the matters specified in sub-clauses (a) to (f) of clause (1) of Article 110 of the Constitution.”

9. Rule 94.—After sub-rule (6) of rule 94, the following sub-rules shall be inserted, namely:—

“(7) A minute of dissent shall be couched in temperate and decorous language and shall not refer to any discussion in the Select Committee nor cast aspersions on the Committee.

(8) If in the opinion of the Speaker a minute of dissent contains words, phrases or expressions which are unparliamentary or otherwise inappropriate he may order such words, phrases or expressions to be expunged from the minute of dissent.”

10. Rule 115.—Rule 115 shall be re-numbered as sub-rule (1) thereof and after the sub-rule as so re-numbered, the following sub-rule shall be inserted, namely:—

“(2) The Secretary shall certify, on top of the first page of the Bill so transmitted to the Council, in the following form:—

“This Bill has been passed (or as the case may be, that this Bill has been passed as amended) by the House of the People on the 19

Provided that if it is a Money Bill within the meaning of Article 110 of the Constitution the certificate by the Speaker shall be endorsed at the end of the Bill in the following form:

'I hereby certify that this Bill is a Money Bill within the meaning of Article 110 of the Constitution of India.'

Dated the 19 Speaker."

11. *Rule 127.*—In rule 127, for the words "the Schedule", the words "the First Schedule" shall be substituted.

12. *Rule 133.*—After sub-rule (3) of rule 133, the following sub-rule shall be inserted, namely:—

"(4) Casual vacancies in the Committee shall be filled by the Speaker and any member nominated to fill such a vacancy shall hold office for the period for which the member in whose place he is nominated would under the provisions of sub-rule (2) have held office."

13. *Rule 139.*—For rule 139, the following rule shall be substituted, namely:—

"Withdrawal of a Bill. 139. The member in charge of a Bill may at any stage of the Bill move for leave to withdraw the Bill on the ground that—

- (a) the legislative proposal contained in the Bill is to be dropped; or
- (b) the Bill is to be replaced subsequently by a new Bill which substantially alters the provisions contained therein;

and if such leave is granted no further motion shall be made with reference to the Bill:

Provided that where a Bill has been referred to a Select Committee notice of any motion for the withdrawal of the Bill shall automatically stand referred to the Committee and after the Committee has expressed its opinion in a report to the House the motion shall be set down in the list of business."

14. *Rule 141A.*—After rule 141, the following rule shall be inserted, namely:—

"Special provision for removal of Private Member's Bill from the Register of Bills.

141A. A private member's Bill pending before the House shall also be removed from the Register of Bills pending in the House in case—

- (a) the member in charge ceases to be a member of the House;

- (b) the member in charge is appointed as a Minister; or
- (c) a Bill substantially identical in nature is passed by the House."

15. *Rule 146.*—In rule 146, the words “to a Select Committee of the Council or” shall be omitted.

16. *Rule 149.*—Rule 149 shall be re-numbered as sub-rule (1) thereof and after the sub-rule as so re-numbered, the following sub-rule shall be inserted, namely:—

- “(2) The Secretary shall certify, on top of the first page of the Bill so returned to the Council, in the following form:—

“This Bill has been passed as amended by the House of the People on the

Dated the 19 . Secretary.”

17. *Rules 157A to 157E.*—After Chapter X and rule 157 the following rules shall be inserted under a separate Chapter XA, namely:—

“CHAPTER XA

BILLS SEEKING TO AMEND THE CONSTITUTION

157A. Each clause or schedule, or clause or schdeule as amended, as the case may be, shall be put to the vote of the House separately and shall form part of the Bill if it is passed by a majority of the total membership of the House and by a majority of not less than two-thirds of the members present and voting:

Provided that the Speaker may, with the unanimous concurrence of the House, put clauses or schedules together to the vote of the House in which case the result of the voting shall be taken as applicable to each clause or schedule separately and so indicated in the proceedings.

157B. Amendments to clauses or schedules shall be decided by a majority of members present and voting in the same manner as in the case of any other Bill.

157C. If the motion in respect of such Bill is that—

(i) it be taken into consideration, or

(ii) it be referred to a Select Committee of the House, or

Voting on motions in respect of such Bills.

- (iii) it be referred to a Joint Committee of both the Houses with the concurrence of the Council, or
- (iv) it be circulated for the purpose of eliciting public opinion thereon, or
- (v) it be passed,

then the motion shall be deemed to have been carried if it is passed by a majority of the total membership of the House and by a majority of not less than two-thirds of the members present and voting.

**Voting by
Division.**

- 157D. (1) Whenever a motion has to be carried by a majority of the total membership of the House and by a majority of not less than two-thirds of the members present and voting, voting thereon shall be by division
- (2) If the result of the voting shows that the majority of the total membership of the House and the majority of not less than two-thirds of the members present and voting are in favour of the motion, the Speaker shall, while announcing the result, say that the motion is carried by a majority of the total membership of the House and by a majority of not less than two-thirds of the members present and voting.

**Residuary
procedure.**

- 157E. In all other respects, the procedure laid down in the rules with respect to other Bills shall apply.

Explanation.—The expression “total membership” referred to in these rules means the total number of members comprising the House irrespective of the fact whether there are vacancies or absentees on any account.”

18. *Rule 159.*—For rule 159, the following rule shall be substituted, namely:—

**“Form of
Resolution.**

159. A resolution may be in the form of a declaration of opinion, or recommendation or may be in the form so as to record either approval or disapproval by the House of an act or policy of Government, or convey a message; or commend, urge or request an action; or call attention to a matter or situation for reconsideration by Government or in such other form as the Speaker may consider appropriate.”

19. *Rule 160.*—For rule 160, the following rule shall be substituted, namely:—

**Subject
matter
of**

160. Subject to the provisions of these rules, a member or a Minister may move a resolution relating to a

20. *Rule 175.*—For rule 175, the following rule shall be substituted, namely:—

“175. If the Speaker admits notice of a motion and no date Circulation is fixed for the discussion of such motion it shall be ^{of No-day Yet-Named} immediately notified in the Parliamentary Bulletin Motions. with the heading ‘No-Day-Yet-Named Motions.’”

21. *Rule 180.*—After sub-rule (1) of rule 180, the following shall be inserted as sub-rule (2) thereof and the existing sub-rules (2) and (3) shall be re-numbered as sub-rules (3) and (4) respectively, namely:—

“(2) A copy of the statement shall be forwarded to the Speaker and the Leader of the House one day in advance of the day on which it is made:

Provided that in the absence of a written statement, the points or the gist of such statement shall be conveyed to the Speaker and the Leader of the House one day in advance of the day on which it is made.”

22. *Rule 190.*—In rule 190, after the words “original grants” the words “nor policy underlying them” shall be inserted.

23. *Rule 192.*—After sub-rule (3) of rule 192, the following sub-rules shall be inserted, namely:—

“(4) The debate on an Appropriation Bill shall be restricted to matters of public importance or administrative policy implied in the grants covered by the Bill which have not already been raised while the relevant demands for grants were under consideration.

(5) The Speaker may, in order to avoid repetition of debate, require members desiring to take part in discussion on an Appropriation Bill to give advance intimation of the specific points they intend to raise, and he may withhold permission for raising such of the points as in his opinion appear to be repetitions of the matters discussed on a demand for grant or as may not be of sufficient public importance.

(6) If an Appropriation Bill is in pursuance of a supplementary grant in respect of an existing service the discussions shall be confined to the items constituting the same and no discussion shall be raised on the original grant nor the policy underlying it save in so far as it may be necessary to explain or illustrate a particular item under discussion.”

24. Rule 197.—To sub-rule (1) of rule 197, the following proviso shall be added, namely:—

“Provided that a Minister shall not be appointed to be a member of the Committee or, if a member, after election to the Committee, is appointed as a Minister, he shall cease to be a member of the Committee from the date of such appointment.”

25. Rule 198.—To sub-rule (2) of rule 198, the following proviso shall be added, namely:—

“Provided that a Minister shall not be appointed to be a member of the Committee, or if a member, after election to the Committee, is appointed as a Minister, he shall cease to be a member of the Committee from the date of such appointment.”

26. Rule 200.—In rule 200, the following sentence shall be inserted at the end, namely:—

“If the question raised is based on a document, the notice shall be accompanied by the document.”

27. Rule 201.—After clause (ii) of rule 201, the following clause shall be inserted, namely:—

“(iii) the matter requires the intervention of the House.”

28. Rule 203.—For rule 203, the following rule shall be substituted, namely:—

**Consideration of question of Privilege to which leave is granted.*

203. If leave under rule 202 is granted the House may consider the question and come to a decision or refer it to a Committee of Privileges on a motion made by the Leader of the House or any other member to whom he may delegate his function under this rule.”

29. Rule 204.—After sub-rule (3) of rule 204, the following sub-rule shall be inserted, namely:—

“(4) Casual vacancies in the Committee shall be filled by the Speaker and any member nominated to fill such a vacancy shall hold office for the period for which the member in whose place he is nominated would under the provisions of sub-rule (2) have held office.”

30. Rule 211.—For rule 211, the following rule shall be substituted, namely:—

**Consideration of report.*

211. (1) After the report has been presented, the Chairman or any member of the Committee or any other member may move that the report be taken into consideration, whereupon the Speaker may put the question to the House.

- (2) Before putting the question to the House, the Speaker may permit a debate on the motion, not exceeding half an hour in duration, and such debate shall not refer to the details of the report further than is necessary to make out a case for the consideration of the report by the House.
- (3) After the motion made under sub-rule (1) is agreed to, the Chairman or any member of the Committee or any other member, as the case may be, may move that the House agrees, or disagrees or agrees with amendments, with the recommendations contained in the report."

31. Rule 212.—For rule 212, the following rule shall be substituted, namely:—

"212. A motion that the report of the Committee of Privileges be taken into consideration shall be accorded the priority assigned to a matter of privilege under sub-rule (1) of rule 202, unless there has been undue delay in bringing it forward:

Provided that when a date has already been fixed for the consideration of the report, it shall be given priority as a matter of privilege on the day so appointed."

32. Rules 214A to 214C.—After rule 214, the following rules all be inserted, namely:—

"214A. When a member is arrested on a criminal charge or for a criminal offence or is sentenced to imprisonment by a court or is detained under an executive order, the committing judge, magistrate or executive authority, as the case may be, shall immediately intimate such fact to the Speaker indicating the reasons for the arrest, detention or conviction, as the case may be, as also the place of detention or imprisonment of the member in the appropriate form set out in the Second Schedule.

214B. When a member is arrested and after conviction released on bail pending an appeal or otherwise released such fact shall also be intimated to the Speaker by the concerned authority in the appropriate form set out in the Second Schedule.

214C. As soon as may be, the Speaker shall, after he has received a communication referred to in rule 214A or rule 214B read it out in the House if in session, or if the House is not in session direct that it may be published

in the Parliamentary Bulletin for the information of the members

Provided that if the intimation of the release of a member either on bail or by discharge on appeal is received before the House has been informed of the original arrest, the fact of his arrest, or his subsequent release or discharge may not be intimated to the House by the Speaker ”

33 Rule 216—After sub-rule (3) of rule 216, the following sub-rule shall be inserted, namely —

“(4) Casual vacancies in the Committee shall be filled by the Speaker and any member nominated to fill such a vacancy shall hold office for the period for which the member in whose place he is nominated would under the provisions of sub-rule (2) have held office ”

34 Rules 226A to 226F—After Chapter XVI and rule 226, the following rules shall be inserted under a separate Chapter XVIA, namely.—

“CHAPTER XVIA

COMMITTEE ON GOVERNMENT ASSURANCES

Functions of Committee 226A There shall be a Committee on Government, Assurances to scrutinize the assurances, promises and undertakings etc. given by Ministers, from time to time, on the floor of the House and to report on—

- (a) the extent to which such assurances have been implemented, and
- (b) whether implementation has taken place within the minimum time necessary for the purpose

Constitution of the Committee 226B (1) The Committee shall consist of not more than six members who shall be nominated by the Speaker.

(2) The term of office of the members of the Committee shall be one year.

(3) The Speaker may, if he thinks fit, discharge a member from the Committee, if such member is absent from two or more consecutive meetings thereof, without the permission of the Chairman of the Committee

(4) Casual vacancies in the Committee shall be filled by the Speaker and any member nominated to fill such a vacancy shall hold office for the period for which the member in whose place he is nominated would under the provisions of sub-rule (2) have held office

226C. (1) The Chairman of the Committee shall be appointed Chairman by the Speaker from amongst the members of the Committee:

Provided that if the Deputy Speaker is a member of the Committee, he shall be appointed Chairman of the Committee.

(2) If the Chairman of the Committee is for any reason unable to act, the Speaker may similarly appoint another Chairman of the Committee in his place.

(3) If the Chairman of the Committee is absent from any meeting, the Committee shall choose another member to act as Chairman of the Committee for that meeting.

226D. (1) In order to constitute a meeting of the Committee **Quorum**, quorum shall be three.

(2) In the case of an equality of votes on any matter voted upon the Chairman of the Committee shall have a second or casting vote.

226E. The report of the Committee shall be presented to the House either by the Chairman or on his behalf by any member **of report** of the Committee.

226F. In other respects, the rules applicable to a Parliamentary Committee provided for in Chapter XX of these rules shall apply.” Provisions applicable in other respects.

35. *Rule 235.*—For sub-rule (2) of rule 235, the following sub-rule shall be substituted, namely:—

“(2) Notices left at the Parliamentary Notice Office after the hours notified under sub-rule (1) shall be treated as given on the next open day.”

36. *Rule 242.*—For the marginal heading of rule 242, the following marginal heading shall be substituted, namely:—

“Dilatory motion in abuse of rules of the House.”

37. *Rule 242.*—Rule 242 shall be re-numbered as sub-rule (1) hereof and after the sub-rule as so re-numbered, the following sub-rules shall be inserted, namely:—

“(2) If the Speaker is of opinion that a motion for re-circulation of a Bill to elicit further opinion thereon is in the nature of a dilatory motion in abuse of the rules of the House inasmuch as the original circulation was adequate or comprehensive or that no circumstance has arisen since the previous circulation to warrant the re-circulation of the Bill, he may forthwith put the question thereon from the Chair or decline to propose the question.

(3) If the Speaker is of opinion that a motion for re-committal of a Bill to a Select Committee of the House or a Joint Committee of the Houses or circulation or re-circulation of the Bill after the Select Committee of the House or the Joint Committee of the Houses has reported thereon, is in the nature of a dilatory motion in abuse of the rules of the House inasmuch as the Select Committee of the House or the Joint Committee of the Houses as the case may be has dealt with the Bill in a proper manner or that no unforeseen or new circumstance has arisen since the Bill emerged from such committee, he may forthwith put the question thereon from the Chair or decline to propose the question."

38. *Rule 242A.*—After rule 242, the following rule shall be inserted, namely:—

"Anticipating discussion."

242A. No member shall anticipate the discussion of any subject of which notice has been given provided that in determining whether a discussion is out of order on the ground of anticipation, regard shall be had by the Speaker to the probability of the matter anticipated being brought before the House within a reasonable time."

39. *Rule 249A.*—After rule 249, the following rule shall be inserted, namely:—

"Restriction in quoting speeches made in Council."

249A. Unless the Speaker gives permission in advance no speech made in the Council shall be quoted in the House unless it be a definite statement of policy by a Minister."

40. *Rule 262.*—In rule 262, the following shall be inserted as sub-rule (1) and the existing provision of the rule shall be re-numbered as sub-rule (2), namely:—

"(1) A paper or document laid on the Table of the House shall be duly authenticated by the member presenting it."

41. *Rule 263.*—Rule 263 shall be re-numbered as sub-rule (1) thereto and after the sub-rule as so re-numbered, the following sub-rules shall be inserted, namely:—

"(2) No member shall be appointed to a Parliamentary Committee if he is not willing to serve on the Committee. The mover shall ascertain whether such member proposed to be named by him is willing to serve on the Committee.

(3) Casual vacancies in the Committee shall be filled by election or nomination, as the case may be, and any member elected or nominated to fill such vacancy shall hold office for the period for which the member in whose place he is elected or nominated would have normally held office."

42. Rule 276.—To rule 276, the following provisos shall be added, namely:—

"Provided that if any question arises whether the evidence of a person or the production of a document is relevant for the purposes of the Committee, the question shall be referred to the Speaker whose decision shall be final:

Provided further that Government may decline to produce a document on the ground that its disclosure would be prejudicial to the safety or interest of the State."

43. Rule 279.—For rule 279, the following rule shall be substituted, namely:—

279. (1) The Committee may direct that the whole or a part of the evidence or a summary thereof may be laid on the Table of the House.
- (2) No part of the evidence, oral or written, report or proceedings of the Committee which has not been laid on the Table of the House shall be open to inspection by any one except under the authority of the Speaker.
- (3) The evidence given before a Parliamentary Committee shall not be published by any member of the Parliamentary Committee or by any other person until it has been laid on the Table of the House:

Provided that the Speaker, may in his discretion, direct that such evidence be confidentially made available to members before it is formally laid on the Table of the House."

44. Rule 280.—After clause (5) of rule 280, the following clause shall be inserted, namely:—

"(6) The evidence tendered before the Committee may be made available to all members of the Committee."

45. Rule 283.—Rule 283 shall be re-numbered as sub-rule (1) thereof and after the sub-rule as so re-numbered, the following sub-rule shall be inserted, namely:—

“(2) In presenting the report the Chairman or, in his absence, the member presenting the report shall, if he makes any remarks, confine himself to a brief statement of fact, but there shall be no debate on that statement.”

46. Rule 285A.—After rule 285, the following rule shall be inserted, namely:—

“Personal, pecuniary or direct interest

Personal,
pecuniary
or direct
interest.

285A. (1) Where an objection is taken to the inclusion of a member in the Select Committee on a Bill or any other Parliamentary Committee on the ground that the member has personal, pecuniary or direct interest of such an intimate character that it may prejudicially affect the consideration of any matters to be considered by the Committee, the procedure shall be as follows:

- (a) The member who has taken objection shall precisely state the ground of his objection and the nature of the alleged interest, whether personal, pecuniary or direct, of the proposed member in the matters coming up before the Committee;
- (b) after the objection has been stated, the Speaker shall give an opportunity to the member proposed on the Committee against whom the objection has been taken to state the position;
- (c) if there is dispute on facts, the Speaker may call upon the member taking objection and the member against whose appointment on the Committee objection has been taken, to produce documentary or other evidence in support of their respective cases;
- (d) after the Speaker has considered the evidence so tendered before him, he shall give his decision which shall be final;
- (e) until the Speaker has given his decision the member against whose appointment on the Committee objection has been taken shall continue to be a member thereof if elected or nominated and take part in discussion but shall not be entitled to vote; and

(f) if the Speaker holds that the member against whose appointment objection has been taken has a personal, pecuniary or direct interest within the meaning of sub-rule (3) in the matter before the Committee, he shall cease to be a member thereof forthwith:

Provided that the proceedings of the meetings of the Committee at which such member was present shall not in any way be affected by the decision of the Speaker.

(2) If the vote of a member in a division in the House is challenged on the ground of personal, pecuniary or direct interest in the matter to be decided, the Speaker may, if he considers necessary, call upon the member making the challenge to state precisely the grounds of his objection and the member whose vote has been challenged to state his case and shall decide whether the vote of the member should be disallowed or not and his decision shall be final;

Provided that the vote of a member or members is challenged immediately after the division is over and before the result is announced by the Speaker.

(3) For purposes of sub-rules (1) and (2) the interest of the member should be direct, personal or pecuniary and separately belong to the person whose vote is questioned and not in common with the public in general or with any class or section thereof or on a matter of State policy."

47. *Rule 297A.*—After rule 297, the following rule shall be inserted, namely:—

"Chamber of the House

297A. The Chamber of the House shall not be used for any purpose other than the sittings of the House."

Use of the
Chamber of
the House
restricted
to the sittings
of the House.

48. *The Schedule.*—The existing Schedule shall be numbered as the First Schedule and after that Schedule the following Schedule shall be inserted as the Second Schedule, namely:—

"SECOND SCHEDULE

(See rules 214A and 214B)

Form of communication regarding arrest, detention, conviction or release, as the case may be, of a Member

Place.....

Date.....

To

The Speaker,
 House of the People,
 New Delhi,

DEAR MR. SPEAKER.

A

I have the honour to inform you that I have found it my duty, in the exercise of my powers under Section.....of the.....(Act), to direct that Shri, Member of the House of the People, be arrested for(reas
 detained

for the arrest or detention as the case may be).

Shri M.P. was accordingly arrested at (time) on (date) and is at taken into custody present lodged in the Jail,(place).

B

I have the honour to inform you that Shri..... Member of the House of the People, was tried at the..... Court before me on a charge (or charges) of(reasons for the conviction).

On(date) after a trial lasting for..... days, I found him guilty ofand sentenced him to imprisonment for(period).

(His application for leave to appeal to*.....is pending consideration).

*Name of the Court.

C

I have the honour to inform you that Shri, Member of the House of the People, who was convicted on.....(date) and imprisoned for..... (period) for (reasons for conviction) was released on bail pending appeal (or, as the case may be, released on the sentence being set aside on appeal) on the (date).

Yours faithfully,
 (Judge, Magistrate or executive authority).'

By order of the Speaker,

M. N. KAUL,

Secretary